

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:    Raymond Severt Barsness, et al.  
Serial No.:                09/801,309  
Filed:                      March 7, 2001  
For:                        SUBJECT/OBSERVER UPDATE CONTROL METHOD AND  
                                 APPARATUS  
Group Art Unit:         2445  
Confirmation No.:       2651

**NOTICE OF APPEAL**

Mail Stop Appeal Brief - Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Appeals from the decision dated October 17, 2008, of the Primary Examiner finally rejecting claims 13-17, 23, 25, and 27-36.

The appeal fee pursuant to 37 C.F.R. §41.20(b) for other than a small entity is \$540.00. However, an appeal fee of \$500.00 was previously paid herein according to a Notice of Appeal filed September 2, 2005, the Examiner having subsequently re-opened prosecution of this application before a decision on the merits by the Board of Patent Appeals and Interferences. Accordingly, the previously paid appeal fee of \$500.00 is applied to the current appeal fee of \$540.00, and a fee of \$40.00, constituting the difference between the current fee and the fee previously paid, is required for this Notice

Docket No. ROC920010075US1  
Serial No. 09/801,309

of Appeal (See MPEP 1207.04). Please charge Deposit Account No. 09-0465 in the amount of \$40.00.

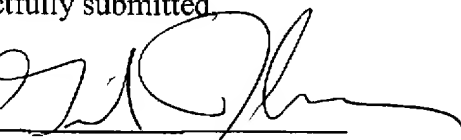
The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account 09-0465:

- (a) Any additional filing fees under 37 C.F.R. §1.16; and
- (b) Any patent application processing fees under 37 C.F.R. §1.17.

Date: January 16, 2009

Respectfully submitted

By



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